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PATENT TRADEMARK OFFICE

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PATENT
Customer No. 22,852
Application No.: 09/717,204
Attorney Docket No. 05725.0642-00000
5/12/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Sam B. Morrison) Group Art Unit: 1617
)
Application No.: 09/717,204) Examiner: M. Willis
)
Filed: November 22, 2000)
)
For: A TRANSFER RESISTANT)
ANHYDROUS COSMETIC)
COMPOSITION)

Assistant Commissioner for Patents
Washington, DC 20231

04/29/2003 GWORDOF1 00000023 09717204

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Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(d)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed after a final Office Action and is accompanied by a fee of \$180.00 as specified under § 1.17(p) and a certification as specified under § 1.97(e). Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

Each document listed in this Information Disclosure Statement was first cited in a communication from the European Patent Office in a counterpart foreign application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication.

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A copy of the listed documents, including any copending patent applications, are attached, except a copy of WO 98/42298 which was submitted to the Office with the Information Disclosure Statement filed November 22, 2000. A copy of the search report is also attached.

With respect to the non-English language document, Applicant submits the following remarks:

1. **EP 1 163 896 A1** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith. Also submitted is U.S. Patent No. 6,464,969, believed to be an English language equivalent.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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If there is any additional fee due in connection with the filing of this Statement,
please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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Dated: April 28, 2003

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